

Amendment in Response to Non-Final Office Action
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 12, 2008 Signature: (Christina M. Sperry/
(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-0234
(DEP5100CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tushar Patel et al.

Application No.: 10/777,019

Confirmation No.: 2233

Filed: February 11, 2004

Art Unit: 3733

For: TISSUE RETRACTOR AND GUIDE DEVICE

Examiner: D. C. Comstock

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

INTRODUCTORY COMMENTS

This paper is in response to the Office Action dated August 11, 2008.

Amendments to the Claims begin on page 2 of this paper

Amendments to the Drawings begin on page 9 of this paper and include attached replacement sheets.

Remarks/Arguments begin on page 10 of this paper.

An **Appendix** including amended drawing figures is attached following page 15 of this paper.